

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION

STATE OF TEXAS et. al.,

Plaintiffs,

v.

THE UNITED STATES OF AMERICA,
et. al.,

Defendants.

Case No. 2:24-cv-86-Z

**CITIZENS DEFENDING FREEDOM'S MOTION FOR LEAVE TO FILE
AMICUS CURIAE BRIEF IN SUPPORT OF PLAINTIFFS' MOTION FOR STAY
OF AGENCY ACTION AND PRELIMINARY INJUNCTION**

Pursuant to Local Rule 7.2(b), Citizens Defending Freedom respectfully moves this Court for leave to file the attached amicus curiae brief in support of Plaintiffs' Motion for Stay of Agency Action and Preliminary Injunction, Dkt. No. 13. As set forth in the enclosed Certificate of Conference, all parties consent to Citizens Defending Freedom's motion for leave to file a brief as amicus curiae.

Citizens Defending Freedom is a nonprofit, utilizing its resources to ensure every American citizen is equipped and empowered to stand for and preserve their constitutional rights and freedoms for themselves and future generations. Citizens Defending Freedom is committed to helping ensure federal agencies do not promulgate final rules that are unconstitutional or impose additional compliance costs of its members, the public, parents, or students. Its purpose includes educating the American public on issues that must be considered in a Title IX ruling on these

critical issues. The outcome of this case will have a direct effect on Citizens Defending Freedom, including decisions on allocating its resources.

The Final Rule at issue suffers from many defects, including infringing upon the separation of powers and due process protections enshrined in the United States Constitution. While the individual parties may not be able or have standing to address these concerns, Citizens Defending Freedom is well-positioned to brief these issues in detail and does so below. Finally, Amicus's counsel, the Binnall Law Group, has extensive experience in the Title IX process including representing individuals on the school level and in litigation before federal courts. The attached amicus curiae brief would therefore aid the Court in deciding these important issues.

Because this brief is filed before briefing by the parties has been completed or a decision has been issued on this motion, the brief is timely and neither party will be prejudiced. Amicus therefore respectfully requests leave to file the attached amicus curiae brief.

Dated: June 26, 2024

Respectfully submitted,

/s/ Molly McCann
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**Pro hac vice* forthcoming

Counsel for Citizens Defending Freedom

CERTIFICATE OF CONFERENCE

I hereby certify that, on June 19, 2024, counsel for *amicus* conferred with all parties' counsel regarding the contents of this motion. Both parties do not oppose this motion.

/s/ Molly McCann
Molly McCann

CERTIFICATE OF SERVICE

I certify that on June 26, 2024, a copy of the foregoing was filed with the Clerk of the Court using the Court's CM/ECF system, which will send a copy to all counsel of record.

/s/ Molly McCann
Molly McCann

*Attorney for Citizens Defending
Freedom*